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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of the Amateur Radio )  
Service Rules to Include Novice )  
Class Operator License )  
Examinations in the Volunteer )  
Examiner Coordinator Examination )  
System )

PR Docket No. 92-154

AFFIDAVIT OF FREDERIC E. BROWN

STATE OF ALASKA )  
 ) ss.  
FOURTH JUDICIAL DISTRICT )

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Frederic E. Brown, being first duly sworn, deposes and  
says:

I am an attorney licensed to practice law in the State  
of Alaska and before the federal courts in Alaska. In the  
distant past, I have practiced before the Federal Communica-  
tions Commission, but not in matters under the aegis of the  
Private Radio Bureau. I have been a member of the Arctic  
Amateur Radio Club Inc. ("AARC") intermittently since 1959,  
and have served on its Board of Directors intermittently for  
the last ten years.

In either September or October 1992, at the regular  
meeting of the Board of Directors of AARC, the Board of  
Directors approved the filing of comments before the FCC  
regarding the above-entitled case. However, even then, many

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of us knew that a goodly number of other Alaskans would be filing such comments, particularly Roger Hansen, KL7HFQ, who supervises most of the Volunteer Examiner Coordinator activities of the Anchorage Amateur Radio Club. We did not file original comments, and this counsel expected that it might not be necessary, depending upon the position taken by other Alaskan parties.

On November 10, 1992, I telephoned Perry Williams at the headquarters office of the American Radio Relay League ("ARRL", or the "League") in Newington, Connecticut, and then the offices of Chris Imlay, counsel for ARRL in the Washington, D.C. area. As I had expected, I was told that several Alaskan parties had filed comments, that the comments of Mr. Hansen were particularly detailed, and that the points stated were indeed those that had been the concerns of AARC.

During those conversations Mr. Imlay informed me that he was then in the process of completing the reply comments of the ARRL, which would be filed on that day. I urged that he make some mention of the unique circumstance of Alaska and of problems that Alaskan amateur radio operators have with the current proposal. I was not told of any adverse position taken by ARRL regarding these concerns of the Alaskans. I also asked Mr. Imlay to send me copies of the reply comments when they were filed: he said he would.

On October 17, I received either from Mr. Imlay or from Mr. Williams copies of ARRL's comments in a different FCC docket (92-136), which I had also solicited. However, I did not then receive the League's comments in this matter.

In early December I became concerned that I still had not received the ARRL's reply comments in the current case, so I made attempts to reach Mr. Williams of the ARRL offices in Newington, Connecticut. I was referred to Mr. Imlay's office in Washington, D.C., where Mr. Williams was expected to be spending part of the day. I telephoned Mr. Williams there, and either stated to him or asked Mr. Imlay's secretary (I don't remember which) to send me copies of the League's reply comments in this docket, 92-154.

I received those in the mail on December 11, 1992. I found statements made in behalf of the ARRL -- in the nature of promises affecting Alaska -- that were astonishing and totally beyond what I had ever expected. I immediately made telephone calls, spoke to Mr. Imlay, and also attempted to call parties at the ARRL headquarters in Newington, to determine why the statements had been made.

In the time between December 14 and the end of 1992, I had expensive telephone conversations with Mr. Bart Jahnke at ARRL headquarters regarding these concerns, and with several of the Alaskan parties who had filed comments, most

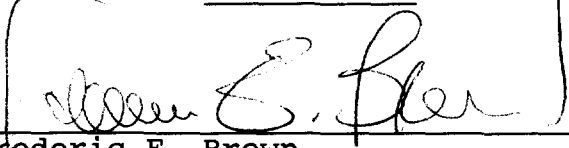
of whom live in various communities more than several hundred miles from my home in Fairbanks, all of whom expressed surprise and consternation when told of the League's comments affecting Alaska. The matter was considered by the Board of Directors of the AARC at its regular December meeting, and since that time I have been in contact with other Alaskan amateurs, including the outgoing president of the Juneau Amateur Radio Club.

Frankly, I had hoped to be submitting a motion to file late reply comments in behalf of AARC in the last week of December or first week of January, but the combined effects of the holidays, two minor illnesses, and the press of other urgent matters in my law office, have all necessitated a later filing.

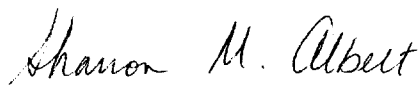
This affidavit is offered in support of the contention that "good cause" exists for the allowance of late filing of the proposed reply comments.

Further affiant sayeth naught.

DATED at Fairbanks, Alaska this 27th of January, 1993.

  
Frederic E. Brown

SUBSCRIBED AND SWORN TO before me this 27th day of January, 1993.

  
Notary Public, State of Alaska  
My commission expires: 7/25/93